

**LEON COUNTY  
GROWTH AND ENVIRONMENTAL MANAGEMENT  
DEPARTMENT  
DEVELOPMENT REVIEW COMMITTEE STAFF REPORT**

STAFF RECOMMENDATION:     *APPROVAL WITH CONDITIONS*

PROJECT NAME:               Villas at Pine Forest (LSP040041)

PROPERTY OWNER:           The St. Joe Company  
                                  245 Riverside Avenue, Suite 500  
                                  Jacksonville, FL 32304  
                                  (850) 301-4200

APPLICANT:                 Linderand, Inc.  
                                  P.O. Box 14435  
                                  Tallahassee, FL 32317  
                                  (850) 574-8080

AGENT:                     Bibler Design Development  
                                  1913 Sherwood Drive  
                                  Tallahassee, FL 32303  
                                  (850) 567-3751

**SUMMARY OF THE APPLICATION:**

The proposed subdivision project consists of a 111 lot single family subdivision on 24.70 acres of the 38.85 acre parcel located on the east and west sides of Center Drive in Township 1 South, Range 1 West, Section 23. The subdivision will consist of four new public streets (4.07 acres) extending from the existing Center Drive right-of-way. The proposed subdivision will also contain ten common area tracts, totaling 4.95 acres, to be owned and maintained by the subdivision homeowners' association, and five stormwater tracts, totaling 5.13 acres, to be dedicated to the public. Public street access will be provided to the parcel to the west as a substitute for the existing unimproved roadway now extending through the property.

**Utility Service Plan.** Electricity, water and sewer will be provided by the City of Tallahassee.

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DATE OF DRC MEETING:       **September 15, 2004**

DATE OF PRE-APP:           April 7, 2004

DATE OF TECHNICAL  
STAFF REVIEW:

July 28, 2004

STAFF PLANNER:

William D. McCord, AICP, Development Services  
Administrator

TAX ID#:

41-23-30-000-003-0

PARCEL SIZE:

38.85 acres +/-

LOCATION:

The proposed subdivision will be located on the south side of Balkin Road, north of Westway Drive and east and west of Center Drive in Township 1 South, Range 1 West, Section 23.

ROADWAY ACCESS:

Balkin Road and Center Drive (local streets)

ZONING DISTRICT:

R-2 (single family detached residential) district

FUTURE LAND USE:

Mixed Use A within the Southern Strategy Area

INSIDE/OUTSIDE  
URBAN SERVICES AREA:

Inside

ZONING PATTERN:

North: R-2 (single family detached residential)  
South: R-1 (single family detached residential)  
East: R-3 (single and two-family residential)  
West: R-5 (manufactured home and single family detached)

ADJOINING EXISTING  
LAND USES:

North: Single family residential  
East: Single family residential  
West: Single family residential  
South: Single family residential

PERMITTED USE  
VERIFICATION:

A Permitted Use Verification Certificate was issued on March 10, 2004 (VC040022) (Attachment #1)

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**Growth and Environmental Management Department Staff Findings:** The staff is generally responsible for reviewing site plan application to ensure that the application meets the applicable requirements set forth in the Environmental Compliance, Zoning, Site Plan, Subdivision Regulations, and other Articles of Chapter 10 of the Leon County Code of Laws.

Pursuant to the review criteria identified in Section 10-1479.1, Type "C" Review, the Growth and Environmental Management Department findings are as follows:

**Comprehensive Plan Issues and Specific Applicable Policies:**

The proposed development is located in the Southern Strategy Area, as described in the Future Land Use Element (FLUE) of the Comprehensive Plan, which "encourages greater choices for residential and employment opportunities for persons of varied income levels while promoting and protecting positive aspects of the area". The proposed plan of development shall include:

- Protection of conservation and preservation features,
- Compatibility with adjacent existing and future residential land uses,
- Access to transportation facilities in keeping with their intended functions, and
- The availability of infrastructure.

The development site is within the Urban Service Area (USA) and must provide a density of at least two units per acre (page I-7). Furthermore, in order to comply with the FLUE, the development plan shall comply with growth management policies, environmental constraints, level of service standards, adopted land development regulations, mixed use land use restrictions and requirements, and, in the case of the proposed project, meet residential land use criteria and comply with specific sector plan strategies. The plan shall also comply with other elements of the Comprehensive Plan.

*Finding: The proposed subdivision has been determined to be consistent with the Comprehensive Plan and specifically with the Future Land Use Element, Objective 1.1, policies 1.1.1, 1.1.2, 1.1.5, and 1.1.8; Objective 1.2, policy 1.2.1 and 1.2.2; Objective 1.3, policies 1.3.1, 1.3.3, and 1.3.4; Objective 1.4, policies 1.4.2, 1.4.5(d), and 1.4.12; Objective 1.7, policy 1.7.1 and 1.7.10; Objective 2.1, policies 2.1.1, 2.1.2, 2.1.4, and 2.1.7; Objective 11.1, policies 11.1.1 and 11.1.2; and Objective 1.3; the Transportation Element, Objective 1.1, policies 1.1.2 and 1.1.6; Objective 1.3, policy 1.3.2; Objective 1.5, policies 1.5.5 and 1.5.17; Objective 1.6, policies 1.6.3 and 1.6.6; Objective 1.8, policies 1.8.2, 1.8.3, and 1.8.5; the Utilities Element, Stormwater sub-element, Objective 1.1, policies 1.1.4 and 1.1.5; the Potable Water sub-element, Objective 1.2, policy 1.2.5; Objective 2.1, policy 2.1.1; the Sanitary Sewer sub-element, Objective 1.3, policy 1.3.1; Objective 2.1, policy 2.1.2 and 2.1.3; Objective 3.1, policy 3.1.4; and the Conservation Element, Objective 1.3, policy 1.3.1 and 1.3.2; Objective 2.2; Objective 2.2.5; Objective 3.3, policies 3.3.1 and 3.3.4; and Objective 4.2, policy 4.2.3.*

More specific descriptions are noted in the Planning Department report (Attachment #2).

*The proposed subdivision will provide additional housing stock that will improve the quality of housing in the Southern Strategy Area. The proposed development will result in the extension of public infrastructure to the site and make it more available to other properties not currently served with central utilities, and provide for housing density targets envisioned by the Southern Strategy Area Plan.*

*The proposed residential uses are consistent with policies in the Comprehensive Plan including those promoting urban infill (FLUE Objective 1.1, policy 1.1.5 and Objective 1.3, policy 1.3.4) by discouraging urban sprawl, limiting residential uses in the Mixed Use A category on local*

*streets, providing a density consistent with the zoning established consistent with the land use, and developing the proposed residential uses that will maintain the "integrity of existing neighborhoods while encouraging new residential developments", that provide "compatibility with adjacent existing and future residential uses", that protects "conservation and preservation features", that provide sufficient "access to transportation facilities in keeping with their intended function", and that provides infrastructure (Page I-4).*

*The proposed development contains more than two units per acre as required for all development within the USA and will help to meet the desired outcome of providing at least 90 percent of the new residential growth within the USA. Further, the development proposes less than 20 units per acre permitted in the Mixed Use A category (I-8A) and complies with the intended function of the Mixed Use A land use as described on Page I-15 of the FLUE.*

*The property proposed for the subdivision contains conservation features regulated by the Comprehensive Plan including floodplains, closed basins, significant slopes and at least one area that may exhibit active karst features. The plan of development incorporates a design that addresses each of these features including provisions for a conservation easement and treating all stormwater on-site within a closed basin in compliance with adopted standards. These features were mapped as part of the plan review included in the Natural Features Inventory (NFI). No transfer of density is proposed as a result of accommodation of conservation features.*

**Concurrency (Section 10-140):**

A Preliminary Certificate of Concurrency for the proposed subdivision was issued on May 25, 2004 (Attachment #3). A Final Certificate of Concurrency will be issued upon approval of this Type "C" site and development plan. A concurrency report is provided as attachment #4.

*Finding: The proposed subdivision is consistent with the Comprehensive Plan and concurrency standards.*

**Article VII. Environmental Management.**

**Division 2. Stormwater Management**

**Closed Basin & Interbasin Transfers (Section 10-188):**

There are three small closed basins within the development site. The Comprehensive Plan and code require more stringent design for stormwater treatment within closed basins. (Also see Environmental Compliance comments.)

*Finding: Five retention ponds (Stormwater Tracts A, B, C, D, and E) will provide sufficient stormwater treatment within each of these basins.*

**Topographic Alterations (Section 10-207):**

The site is now generally level except for the southeasterly portion and small basins containing shallow sinks or closed basins.

*Finding: No significant terrain alterations are proposed with the exception of the excavations for the retention ponds and a minor drainage alteration to direct stormwater to the southwesterly*

*portion of the site which is now a shallow sink. Nearly all of the significant slopes at the southeast portion of the site will be preserved and included in a conservation easement.*

**Stormwater Management Facilities (Section 10-208):**

Five formal stormwater ponds are proposed as indicated above. These ponds will be dedicated or conveyed, owned and maintained by the public, and will provide water treatment for the lots and streets within the subdivision. (Also see Environmental Compliance comments.)

*Finding: Sufficient stormwater retention will be provided within the closed basin portions of the site and on the portions of the site not within a closed basin.*

**Division 3. Landscaping**

**Landscaping and Natural Area Standards (Sections 10-242, 10-257, 10-258, & 10-260):**

For strictly residential projects, the 25 percent natural area and 25 percent landscaping area is not required. A Type "A" buffer will be provided along the east and west boundaries of the subdivision. Also, please refer to any comments from the Environmental Compliance Division.

*Finding: The subdivision will contain ten tracts that will be used for open space, including some tracts that will contain conservation features and conservation easements. Tract 5C will preserve habitat for the Golden Aster and Tract 10B will provide for significant slopes to be preserved. Tract 5A will provide a conservation area, open space, and stormwater management within a conservation easement. Other tracts will act as landscape buffers between the streets and lots. A Type "A" buffer is included mostly within the common area tracts.*

**Division 4. Tree Protection.**

**Protected Trees (Section 10-292):**

Code encourages the inclusion/preservation of existing trees in new developments.

*Finding: A tree survey was provided with the plan set (Sheet 2). The property contains mostly a mix of smaller hardwoods intermixed with pines. Most trees are between ten to twenty inches in diameter and there are a few patriarch trees. Many of the larger hardwood trees are located in an area which will be preserved in Tracts 10A, 10B and 5A. These tracts will also form much of the required Type "A" buffer between the development site and adjacent developed single family uses.*

**Tree Protection Requirements (Section 10-293):**

No specific tree protection, other than patriarch trees, is required under this section of code for single family residential development.

*Finding: Most of the trees are smaller than trees that would qualify for classification as patriarch trees. One 51 inch tree indicated on the tree survey will be retained in Tract 10A.*

## **Article X. Zoning.**

### **Division 5 Mixed Use A Future Land Use Category (Section 10-914) and Division 9 Allowable Uses (Zoning Districts) and Development and Locational Standards.**

#### **Zoning District and Development Standard Issues (Section 10-1215):**

The subject parcel is located in the Mixed Use A Future Land Use category and the R-2 (Single Family Detached Residential) zoning district. Single family lots of at least 9,000 square feet each are allowed in this zoning district.

The following specific design criteria and development standards for the R-2 zoning district are required by this section:

<u>Minimum Lot Area:</u>	9,000 square feet lots
<u>Minimum Lot Width:</u>	60 feet
<u>Minimum Lot Depth:</u>	100 feet
<u>Minimum Lot Frontage:</u>	15 feet
<u>Minimum Building Setbacks:</u>	

	<u>Building</u>
Front	25 feet
Side Corner	15 feet
Side	7.5 feet*
Rear	25 feet

\*7.5 feet on each side; or any combination of setbacks that equals at least 15 feet, provided that no such setback shall be less than 5 feet.

<u>Maximum Impervious Surface Area:</u>	N/A
<u>Maximum Building Restrictions:</u>	
Maximum Height:	3 stories

*Finding: The site and development plan, including each residential lot, complies with the minimum development standards of Section 10-1215.*

#### **Development Patterns (Section 10-922.5):**

Low density residential development patterns are permitted in the Mixed Use A category. The R-2 zoning district is compliant with the low density residential development pattern.

*Finding: The development will consist of single family residential uses which are indicated as a primary use in the Mixed Use A land use district under Objective 1.7, policy 1.7.1 and policy 1.7.10 of the Comprehensive Plan.*

#### **Buffer Zone Standards (Section 10-923):**

A Type "A" buffer is required when single family development abuts other single family uses.

*Finding: A Type "A" buffer will be provided on the east and west boundaries of the subdivision compliant with Section 10-923.*

**Division 6. Special Regulatory Districts.**

**Conservation/Preservation Area (Sections 10-953, 973, & 974):**

The proposed development must comply with all applicable regulations pertaining to conservation and/or preservation areas (Article VII of the Leon County Land Development Code, and the Conservation and Land Use Element of the 2010 Comprehensive Plan) if the environmental analysis identifies any preservation and/or conservation areas on the subject parcel. The site and development plan must clearly indicate significant environmental features or constraints located on or adjacent to the subject property and ensure that the proposed site and development plan accommodates these features. Please also refer to any comments from the Environmental Compliance Division.

*Finding: A Natural Features Inventory and Environmental Impact Analysis for the project have been reviewed and approved by the Environmental Compliance Division. The proposed plan includes the preservation of three areas as conservation areas (Common Area Tracts 5A, 5C and 10B). One is a sink hole or depression, and one is an area with significant slopes. All areas of significant slopes will be preserved, which exceeds the requirements of the Comprehensive Plan and code. The development would be constructed primarily within small closed drainage basins, and stormwater treatment systems would be designed to accommodate stormwater generated by the development. Trees will be preserved within common area tracts and, where possible, on individual lots. (Also see comments from Environmental Compliance in Attachment #4.)*

**Division 7. Parking and Loading Requirements:**

**Required Parking (Section 10-1028):**

A minimum of two parking spaces are required for each single family residence which complies with the requirements of code. Each residence will contain a two car garage/carport and an area for parking two vehicles in the driveway. Typical house positions on lots are depicted on Sheets 5 and 6.

*Finding: These typical parking designs comply with the design requirements of code. Each lot will contain a garage/carport for parking two cars and additional driveway width and length to accommodate two cars.*

**Division 8. Supplementary District Regulations.**

**Accessory Structures (Section 10-1102):**

Accessory structures must be located at least seven and one half feet from the property line, and a minimum of six feet from any other structure. They may not be located in a buffer or landscape area, or in the front or side corner yard. Any proposed accessory structures must be shown on the concept development plan and shall be included in all calculations of pervious and impervious areas. No accessory structures are proposed for this site and development plan. Accessory structures for individual lots will be addressed at permitting.

*Finding: No specific accessory structures are proposed with the subdivision. Individual accessory structures may be erected at a later date in compliance with covenants and restrictions and code.*

**Special Roadway Setbacks (Section 10-1107):**

No special roadway setbacks are required along the adjacent roadways since all adjacent streets are local streets. No vehicular access will be provided to/from Balkin Road from adjacent lots. Only three lots will have vehicular access to/from Westway Road and only three lots will have vehicular access to/from Center Drive.

*Finding: Limitations are placed on certain lots to restrict access to the more heavily used through streets adjacent to the development site. The majority of lots will access the streets within the proposed public street system to be constructed as part of the subdivision improvements.*

**Article XI. Subdivision and Site and Development Plan Regulations.**

**Division 1. Generally.**

**Compliance and Consistency with Comprehensive Plan (Section 10-1407 and 10-1408):**

All subdivisions shall be designed and constructed to comply with County regulations, state statutes and the Comprehensive Plan. These consistency requirements are specifically listed in Section 10-1408 (a)-(g). Upon completion of the platting process, all development on the site shall comply with the County's land development regulations as described in Section 10-1407.

*Finding: The proposed subdivision will comply with the procedural and design requirements of the County land development regulatory process and the Comprehensive Plan with the conditions of approval listed at the end of this report. At the time of final plat submittal, the plat shall be designed to comply with state statutes.*

**Division 2. Subdivision Classification:**

**Subdivision Requiring Platting (Section 10-1428): (Type "B" minimum)**

Site and development plans proposing subdivision of property requiring platting shall, at a minimum, be subject to review and approval by the DRC as a Type "B" approval. Site and development plans are required for all parcels or lots proposed for subdivision.

*Finding: Since the development is greater than 10 lots, a formal plat is required. Since the subdivision will consist of 50 or more lots (111 total lots) in the R-2 district, a Type "C" review is required in compliance with Section 10-1479.1.*

**Division 4. Procedure for Review and Approval of Site and Development Plans.**

**Permitted Use Verification (Section 10-1477):**

Refer to Permitted Use Verification Certificate VC-040022. The certificate indicates that the parcel requires a Type "C" review (Attachment #1).

*Finding: The plan of development submitted complies with the directive of the PUV Certificate.*

**Type "C" Review (Section 10-1479.1):**

Since the subdivision consist of 111 lots in the R-2 zoning district, a Type "C" review was required (also see reference to Section 10-1428 above). The deficiencies included in this report



and in the reports of the other members of the Technical Review Staff must be addressed and, where appropriate, made conditions of approval.

*Finding: Staff has determined that the application is sufficiently complete at the required level of detail to recommend approval with conditions.*

**Site and Development Plan Review Process, Article XI, Section 10-1481:**

All Type "C" site and development plans shall contain specific submittal requirements and all plans shall include information describing in detail certain design aspects on plan sheets.

*Finding: The applicant has provided a six sheet site and development plan that complies with the specific design and information requirements of the County's land development code. The applicant states that no formal easement was found for the existing Tri M Stables Road that currently bisects the westerly portion of the development site.*

**Site and Development Plan Criteria, Article XI, Section 10-1482:**

1. Whether the applicable zoning standards and requirements have been met.
2. Whether the applicable provisions of the Environmental Management Act have been met.
3. Whether the requirements of Chapter 10 and other applicable regulations or ordinances which impose specific requirements on site and development plans and development have been met.

*Finding: The proposed plan of development and proposed plat contains lots that will comply with the minimum lot size requirements in the R-2 zoning district, and proposed structures and parking will comply with minimum standards of the R-2 zoning district.*

*The site has been designed to account for specific environmentally sensitive features on the property, including the preservation of closed basins and stormwater treatment facilities within closed basins. The development also includes common area tracts with conservation areas that preserves at least 92 percent of significant slopes, preserves the habitat of the Golden Aster, and includes common area tracts that will provide buffers between existing residential areas and between Center Drive and individual lots.*

*The plan has been designed to comply with the design requirements of Chapter 10 of the Leon County Land Development Code, with the exception that the applicant is requesting a payment in lieu of providing a sidewalk along Westway Road. The existing but unimproved Oleander Avenue will either be platted over or abandoned and vacated.*

*The proposed subdivision will provide public street access to adjacent parcels including those that now provide access through the site via Tri M Stables Road.*

**Division 5. Substantive Standards and Criteria.**

Land shall not be subdivided or developed until provision has been made for public facilities and improvements in accordance with the Comprehensive Plan and County requirements. Development shall comply with specific design criteria described in Section 10-1526(e). The subdivision will consist of 111 lots with four new streets, each ending in cul-de-sacs extending from Center Drive, which bisects the development site. A right-of-way stub at the end of one cul-de-sac will provide access to a parcel adjacent to and west of the site. The plan shall be designed to comply with design and layout standards of the code.

*Finding: The 111 lot subdivision with retention basins, common open space, and public streets is designed to comply with the requirements of this division including minimum lot size, street design, stormwater facility design, the preservation of open space, provision of buffers, and the provision of utility services.*

**General Layout and Design Standards (Section 10-1527):**

Specific subdivision layout and design standards for subdivisions are listed in Section 10-1527.

*Finding: All but three of the 111 lots access proposed interior subdivision streets. All of the development will be provided with stormwater treatment and public utilities. Common open space tracts will be provided that serve as buffers and conservation areas, including tree and slope preservation. The streets will generally consist of 45 feet wide rights-of-way with curb and gutter design and with 10 feet wide utility easements adjacent to all interior/subdivision streets. Sidewalks will be provided on at least one side of the local streets throughout the development. A request to pay a fee in lieu of providing a sidewalk along portions of Westway Road has been made.*

**Stormwater Management (Section 10-1528):**

The site will include five stormwater management tracts to treat stormwater and an existing conservation area depression which will provide stormwater treatment to a small portion of the site.

**Public Water Supply (Section 10-1529):**

The development is within the USA, therefore central water and sewer is required to be provided to the site.

**Public Sanitary Sewer or On-Site Sewage Disposal Systems (Section 10-1530):**

The development is within 1,000 feet of a public sanitary sewer system.

**General Features Relating to Natural Features (Section 10-1534):**

The development site contains a small area of significant slopes, closed basins, depressions, small areas within special flood hazards, and is heavily vegetated.

**General Principles of Design Relating to Impacts on Nearby Streets and Property Owners (Section 10-1535):**

The site and development plan shall comply with eleven specific design principles as listed in this section including demonstrating compatibility, minimal environmental impact, landscaping and retention of vegetation, access, and open space preservation.

**Requirements for Developments Not Dedicated to the Public (Section 10-1537):**

Only common area tracts (Tracts 1-10) will remain as private tracts to be maintained by the homeowners' association. The streets and stormwater tracts will be dedicated/conveyed to the public. Utilities will also be publicly owned and maintained.

*Finding: The subdivision will contain private and public improvements. Stormwater tracts, streets and utilities will be owned and maintained by the public. Ten common area tracts will be maintained by the homeowners' association.*

Also see comments from the Public Works Department (Attachment #5).

**Division 6. Plats.**

The subdivision will require platting after plan and environmental permitting approval. The plat shall be reviewed by the County Attorney and the Public Works Department. The plat shall be consistent with the site and development plan.

**Plats Containing Streets and Subdivision Improvements Not Dedicated to the Public (Section 10-1560):**

A homeowners' association is required to establish a method for maintaining common areas.

*Finding: The covenants and restrictions will provide for the maintenance of Common Area Tracts 1-10 by the homeowners' association.*

**Division 9. Deviation from Development Standards.**

**Criteria for Granting a Deviation from Development Standards (Section 10-1603):**

The applicant is not requesting a deviation from development standards, but is requesting approval of payment in lieu of providing a sidewalk along most of the Westway Road frontage. The payment in lieu of sidewalk ordinance is proposed for adoption by the Board of County Commissioners on September 21, 2004.

*Finding: No deviation is proposed since the payment in lieu of providing a sidewalk, if adopted, provides the specific alternative and does not result in a deviation from development standards.*

**Other Issues:**

The subdivision will require conditions of approval in order to comply with all aspects of the land development code and Comprehensive Plan. This includes:

- 1) A boundary settlement for that portion of the parent parcel conveyed to Martinez;
- 2) Payment in lieu of providing a sidewalk along Westway Road;

- 3) Abandonment and vacation of Oleander Avenue, or, if approved, plat over the street/subdivision;
- 4) Create and record conservation easements over Tracts 10B and 5A (legal descriptions needed); and
- 5) Public Works' approval to permit utility easements to overlap stormwater tracts.

**Site Plan and Subdivision Review Criteria:** In deciding whether to approve, approve with conditions, or deny a site plan, the Development Review Committee shall determine pursuant to Section 10-1479.1, Type "C" Review, Section 10-1482 and Section 10-1408, if the plan of development is:

- (a) Consistent with the Comprehensive Plan;*
- (b) Whether the design standards and requirements set forth in the Subdivision and Site and Development Plan regulations have been met (Article XI);*
- (c) Whether the applicable criteria of the Environmental Management Act have been met (Article VII);*
- (d) Whether the applicable zoning standards and requirements have been met (Article X); and*
- (e) Whether the plans should also comply with the requirements of other applicable regulations or ordinances which impose specific requirements on the proposed development have been met (Article XII, Article VI, Article XIII, Article XIV, Article XV, Article XVII, and if applicable, Article XVIII).*

*Finding: As described above, the proposed plan with conditions complies with the Comprehensive Plan, Environmental Management Act, Site and Subdivision Regulations and other provisions of the Leon County Land Development Code. A small portion of the property was recently conveyed to an adjacent property owner. The applicant should file for a Boundary Settlement to rectify the improper subdivision of this portion of the site.*

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**Leon County Growth and Environmental Management Department recommendation:**

The Growth and Environmental Management Department recommends approval with conditions of the site plan for "Villas at Pine Forest" consisting of a six sheet plan, prepared by Bibler Design Development of Tallahassee, Florida, with sheet numbers 1-6, dated July 14, 2004 and with final revision date of September 1, 2004. The recommendation is based on the above referenced findings and the incorporation of the following conditions into the site and development plan:

1. File a Boundary Settlement with the Leon County Development Services Division which addresses the portion of the development site conveyed to the adjacent

property owner, Martinez, as described in ORB 2377, Page 1889, prior to final approval of the site and development plan by the County Commission.

2. Provide a payment as prescribed by the Public Works Department for payment in lieu of providing a sidewalk along the requested portions of Westway Road.
3. Submit to the Environmental Compliance Division a standard form conservation easement over Tracts 5A, 5C and 10B, with legal descriptions, conveying such easement in favor of the County.
4. Abandon and vacate Oleander Avenue, or, if approved, plat over the Edouard Manor and Capital City Estates subdivisions;
5. Obtain approval from the Public Works Department to permit utility easements to overlap stormwater tracts.
6. Provide a graphic scale on each plan sheet.
7. All covenants and restrictions shall be approved as to form and sufficiency by the County Attorney prior to final plat submittal. The covenants and restrictions shall be amended to comply with the directives of the County Attorney's office.
8. Inclusion of the conditions recommended by Public Works in the September 15, 2004 memorandum.
9. Inclusion of the conditions recommended by Planning Department in the September 14, 2004 memorandum.

**Responses to Notification:**

190 notices mailed

0 responses returned

5 returned as undeliverable

(As of the date of this memorandum)

**Attachments:**

1. PUV Certificate (VC040022)
2. September 14, 2004, memorandum from Cherie Bryant, Interim Land Use Supervisor
3. Preliminary Certificate of Concurrency, issued 5/25/04
4. 9/13/04, memorandum from Nawfal R. Ezzagaghi, Sr. Environmental Review Engineer
5. September 5, 2004, memorandum from Kimberly Wood, R.E., Public Works
6. Concurrency Evaluation Report
7. 9/10/2004, letter from Tricia Gwaltney, Leon County School Board

LEON COUNTY  
**PERMITTED USE VERIFICATION**  
**CERTIFICATE NUMBER: VC040022**

**ISSUED TO:**

Name: CAROLYN BIBLER, BIBLER DESIGN DEVELOPMENT  
Address: 1913 SHERWOOD DRIVE TALLAHASSEE, FL , 32303

Phone #: 850-567-3751

Project Acreage: 38.85  
Zoning District.: R-2  
Parcel Tax ID#...: 4123300000030

**180 UNIT SINGLE FAMILY RESIDENTIAL DETACHED**

**COMMENTS**

1: The 37.59 (deed) acre parcel is located in the Mixed Use A Future Land Use Category, is within the Southern Strategy Area as described in the Future Land Use Element, Goal 11, and is within the Urban Services Area. The property is zoned R-2 (Single-family detached residential district) (Chapter 10, Article X, Section 10-1215, Leon County Land Development Code). A proposed single family subdivision is a permitted use in this district and development of market rate single family homes is highly encouraged in the Southern Strategy Area provided that density exceeds two units per acre. The proposed would result in an average density of 2.78 units/acre.

According to the County's GIS maps, much of the property overlays a karst feature. Most of the 38 acre site is within the First Southern closed basin while the southwest portion is within the Munson Lakeside watershed. The site is covered with a mature forest. Stormwater treatment within a closed basin is regulated by Section 10-953 and Section 10-973 and shall be designed in accordance with the requirements of Section 10-188. Regional Stormwater facilities may be available in this area to provide treatment. Karst features as a conservation area also are regulated by Section 10-953 and Section 10-973. Development in this portion of the site may be restricted and may be subject to Board of County Commissioners approval. A Natural Features Inventory and Environmental Impact Assessment will be required per Section 10-346.

The plan of development will require a Type C review per Section 10-1479.1. Subdivision plans shall be designed to comply with the design standards of Section 10-1481 and Article XI, Division 5 and Division 6. The easement for Trimstable Road most likely will need to be vacated in order to more efficiently develop the site.

**CONDITIONS**

**Subject to the following sequence of reviews and required approvals:**

- 1: Pre-Application Conference: Contact Development Services at 488-9300
- 2: Concurrence Certificate: Contact Concurrence Mgt at 488-9300
- 3: Type C Review Contact: Development Services at 488-9300
- 4: Environmental Permit Contact: Environmental Compliance at 488-9300
- 5: Final Plat Contact: Public Works at 488-8003
- 6: Development may be subject to City/County Water & Sewer Agreement. Contact City Utilities at 891-6101
- 7: Building Permit Contact: Building Inspection at 488-4704

Submittal requirements are pursuant to the Leon County Zoning, Site and Development Plan and Subdivision Procedures and Information Manual for the Process identified above.

Subsequent permitting and site plan review may limit the ability to construct above described development. This certificate is exclusive to the terms and conditions herein and is valid under the 2010 Comprehensive Plan and the Leon County Land Development Regulations in effect at the time of issuance. Amendments to the 2010 Comprehensive Plan or to the Land Development Regulations may alter the terms and conditions of this certificate.

No Permitted Use Verification Application and/or Permitted Use Verification Certificate shall be the basis for any claims of estoppel or vesting as against any land development regulations or zoning regulations, which may be adopted on or after the date of the Permitted Use Verification Application and/or the Permitted Use Verification Certificate.

Status: **ELIGIBLE**

Date Approved: 03/10/2004

  
Development Services Division  
Leon County Community Development

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**TALLAHASSEE-LEON COUNTY PLANNING DEPARTMENT  
MEMORANDUM**

**TO:** Bill McCord, Leon County Department of Community Development

**FROM:** Cherie Bryant, AICP  
Interim Land Use Division Chief  
Tallahassee-Leon County Planning Department

**DATE:** September 14, 2004

**SUBJECT:** DRC Meeting on September 15, 2004 – Villas at Pine Forest Type C  
Parcel ID – 41-23-30-000-0030

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**Future Land Use Designation:** Mixed Use A

**Zoning District:** R-2

**Findings:**

- 1) The Department originally requested stub-outs of 'Tuscaloosa Trace' to the east and west to provide better interconnection, based on Objective 1.6 of the Transportation Element of the *Tallahassee-Leon County Comprehensive Plan*.
- 2) The R-O-W for Whitaker Road to the east has been abandoned, making the possibility for interconnection unlikely.
- 3) The applicant has revised plans to show that the R-O-W to the west shall extend to the property line and in the event of redevelopment of the western property, may be paved as an interconnection. A notation is shown on the plans that Homeowner's Association documents will reflect this fact. This was deemed an acceptable compromise due to the objections of the western property owner that the tree removal and paving at this time would negatively affect the horse farm which is currently on the western property.
- 4) The Department considers the interconnection comments addressed.

**Recommendation:**

The Planning Department recommends approval of this application.

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Certificate Number: LCM040032  
Date Issued: 05/25/2004  
Expiration Date: 11/11/2004

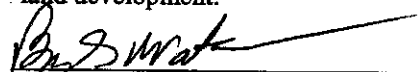
LEON COUNTY  
PRELIMINARY CERTIFICATE OF CONCURRENCY

Applicant.....: ST.JOE COMPANY  
Owner:.....: ST JOE COMPANY  
Project Name.....: BROOK FOREST  
Project Location: WESTWAY RD  
Current Zoning: SF DETACHED.RES 2  
Future Use Description: MIXED USED A  
Parcel I.D. Number(s) 41-23-30-000-0030

Type of Land Use:  
Residential Single Famil 114 UNITS

Conditions:

This Preliminary Certificate of Concurrency is issued pursuant to Article VI of Chapter 10 of Leon County Code of Laws. Based upon the information submitted by the applicant, this certificate certifies that a development with the land use densities and intensities specified at the location specified above will have adequate infrastructure capacity tentatively reserved for water, wastewater, solid waste, recreation, mass transit, stormwater and transportation to serve the needs of the development. The information provided by the applicant has not been verified as accurate by staff. Upon notification from the Development Review and Inspection Division that a complete application for a Development Order is received from the applicant, staff will begin the assessment of the information received from the applicant. This permit in no way gives the proposed development any final authorization to develop, nor does it absolve the applicant from fulfilling the requirements of any Federal, State, County, or City Laws or regulations related to land use or land development.

  
Development Review and  
Inspection Division

8/13/04  
Date



Leon County, Department of Growth & Environmental Management

**MEMORANDUM**

TO: Bill McCord,  
FROM: Nawfal R. Ezzagaghi, P.E., Senior Environmental Engineer  
DATE: September 13, 2004  
RE: **Villas at Pine Forest (AKA Brook Forest)**  
**Recommendations to DRC Regarding Final Approval of Type C Site & Development Plan**  
**Parcel ID: 41-23-30-000-003 0**

The applicant for the referenced project is seeking final DRC approval of the 6-sheet (which includes the cover sheet) site and development plan set entitled:

TYPE C SITE PLAN  
FOR  
VILLAS AT PINE FOREST  
A SINGLE -FAMILY RESIDENTIAL SUBDIVISION (PUBLIC)  
A REPLAT OF:  
CAPITAL CITY ESTATES  
LOTS 3, 4, 6, AND 15-18  
AND EDOUARD MANOR, A SUBDIVISION  
OF LOT 5 CAPITAL CITY ESTATES

Environmental Compliance staff has completed their review of information and plans submitted for the referenced project. We received the applicant's response to our request for additional information (RAI) concerning the project's Environmental Impact Analysis, and an approved EIA with condition was issued on August 27<sup>th</sup>, 2004. Based on our review of this response and previous information submitted by the applicant, we recommend approval of the Type C site and development plan with the following conditions:

1. **The Environmental Management Permit application will need to address the following matters, in addition to information typically required:**
  - a. Note 5 of the General Notes in Sheet 3 of 6 shall be revised to allow for only the removal of trees as permitted in the environmental management permit.
  - b. The stormwater management design shall include the "possibility" of additional impervious area as indicated in note 12 of the General Notes.
  - c. All proposed Conservation Easements shall be solely labeled as such.
  - d. Stormwater conveyance analysis/design shall be submitted (i.e. Hydraflow or similar).
2. **A conservation easement must be recorded (with Leon County as grantee) that encumbers the area on the subject lot designated as "Natural Area / Conservation Easement". This conservation easement must be accepted by the board and recorded prior to issuance of any certificate of occupancy.**

The DRC should understand that our recommended approval with conditions is based on the Type C site plan set submitted to the County on September 01<sup>st</sup>, 2004.

Should you have any questions or need additional information, please contact me.

# Board of County Commissioners

## INTER-OFFICE MEMORANDUM

**DATE:** September 15, 2004  
**TO:** Bill McCord, Development Services Administrator  
**FROM:** Kimberly A. Wood, P.E., Chief of Engineering Coordination  
**SUBJECT:** Review of Villas Pineforest Development Review Committee Meeting

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The plans have been reviewed and the following information is needed for clarification:

**General Comments:**

1. Provide detail information on the proposed emergency equalizer swale located adjacent to Block I.
2. Permits required from Public Works;
  - a. Driveway Connection
  - b. Right-of-Way Placement
3. The reference to "Tracts" will not appear on the plat, therefore, for consistency they should be removed from the site plan as well.
4. Proposed easements should be labeled on all sheets.
5. Provide a typical section of the proposed gravel drive to the adjacent lot at the western end of Tusgaloosa Trace, including the material type and thickness. Note that limerock or stone are not acceptable materials, the gravel must be dust-free, typical a granitic type gravel.
6. The sidewalks required along the frontage roads should be shown on the plans in sufficient easements to allow for maintenance. A note may be added to the plans stating that the developer would like to use a fee in lieu of option, should it become available.
7. The proposed subdivision is planned to be annexed into the City limits and the maintenance authority for the streets and drainage would be the City of Tallahassee's Department of Streets and Drainage. Leon County staff has been coordinating the review of this subdivision with Cleve Atchley with the City's Streets and Drainage Department. Since the DRC submittal the developer's engineer has made changes requested by the City of Tallahassee as recent as September 9, 2004, a letter from the City of Tallahassee should be provided stating that all their issues have been satisfactorily addressed.

It is staff's recommendation that the site plan be approved with conditions until the above issues have been addressed.

cc: Tony Park, P.E., Director of Public Works



## Board of County Commissioners

### Inter-Office Memorandum

**DATE:** September 13, 2004

**TO:** Bill McCord, Development Services Administrator

**FROM:** Brian S. Waterman, Transportation Planner

**SUBJECT:** The Villas at Pine Forest—Development Review Committee Meeting

Parcel Number: 41-23-30-000-003-0

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A Preliminary Certificate of Concurrency (LCM040032) has been issued for the referenced project. However, the following issues must be addressed prior to the issuance of a Final Certificate of Concurrency:

1. *Item 1.B.2*—The applicant needs to include a buildout schedule in the Application for Concurrency Determination.
2. *Item 1.C.7*—Cul-de-sacs do not allow for efficient on site traffic circulation. The applicant is encouraged to pursue a more grid-like internal street network for more efficient travel and more than one access point. To that end, applicant should pursue connecting this project to Whittaker Road which will provide a third access point and will help to sufficiently diffuse traffic in the area. Additional access points may be sufficient mitigation for any significant impacts to the surrounding roads. If it is not an option to allow for a vehicular access to Whittaker Road, the applicant should include a pedestrian/bicycle access instead to allow for a more pedestrian oriented design of the site.
3. *Item 1.D.2*—The Metropolitan Planning Organization (MPO) is in the process of adopting a Bicycle/Pedestrian Master Plan to augment the regional transportation plan. This document includes a design component that provides direction as to how to design a site that makes it more pedestrian friendly. The applicant is encouraged to obtain a copy of the *Tallahassee-Leon County Bicycle and Pedestrian Master Plan: Design Guidelines* or contact Ms. Jennifer Carver at the MPO (850) 891-8600.
4. *Item 2.C.2*—This project is located within the Urban Services Area and has the potential to be served by transit. The applicant is encouraged to incorporate a transit element into the design of this site to allow for efficient transit usage. If the applicant has any questions, they should contact Mr. DeWayne Carver at TalTran.

If the applicant has any questions, I may be reached at (850) 488-9300.

**LEON COUNTY**  
**Department of Growth and Environmental Management**  
**Concurrency Determination Checklist**

PROJECT NAME: The Villas at Pine Forest  
 Project ID: 21-0000-000000000 Date: 08/11/2021  
 Applicant/Agent's Name: Linderland, Inc./Carolyn Bibler, Bibler Design Development

**1. Traffic Impact Analysis**

<b>A. Status of the Roadway Network in the Vicinity of the Project: <u>Office Use Only</u></b>		<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Comments</u>
* Available Capacity?			X		Segment 90350 Balkin Rd: CCSW to Ballard—Sufficient Capacity; Segment 91701 CCSW: Balkin to Crawfordville—Insufficient Capacity; Segment 92751 Crawfordville Rd: Gaile/Ridge to CCSW—Sufficient Capacity
* Any Roadway Improvements Scheduled in the area?		X			Major intersection improvements at CCSW and Springhill; Priority Project List indicates CCSW to be widened to 6 lanes by 2020.; Crawfordville Road: Rivers Rd to Four Points—Widen to 4 Lanes
* Potential Conflict Points?			X		Site plan allows for sufficient interaction with the traffic network.
* Other Developments in the Vicinity?			X		No recent projects in the immediate vicinity.
<b>B. Review of the Project and Provided Site Plan:</b>		X			Re-Plat the subdivision into 114 single family detached lots.
* Project Description Provided?					
* Build Out Schedule Provided?			X		Required for Concurrency Determination
* Any Project Phasing Proposed?			X		Project will not be phased.
* Does Site Plan meet criteria per item 5 A. of the concurrency application?		X			Required information was provided.
* Trip Generation Rates		X			1.06 trips per unit
* Will this Project be designated a Large Project?		X			1.06 X 114 units = 118 total trips
* Is the road geometry of the proposed Access Points provided?		X			Required information was provided.
<b>C. Review of Projected Traffic Impacts</b> <b><u>Large Projects Must Include the Following</u></b>				X	Single use project.
* Is the internal capture rate balanced (multi-use projects only)?					
* Is the Pass-By Capture Rate Valid?				X	Pass by rate not applicable.
* Is the Enter/Exit Split Consistent?		X			67% enter/33% exit (74/44)

* Is a Traffic Distribution Map and Spreadsheet Provided and do the impacts meet standards?	<u>Yes</u> X	<u>No</u>	<u>N/A</u>	<u>Comments</u> Required for large projects.
* Will the nearby signalized intersections continue to operate at existing service levels?	X			Intersection will continue to operate at standards.
* Is any mitigation required?		X		Project will not significantly impact the Concurrency Management System.
* Is the on site traffic circulation efficient?		X		<u>See comments.</u>
<b>D. Other Issues:</b>				Approval granted on 5/25/04
* Is the project of significant size or location to require City GM approval?	X			
* Is multi-modal facilities or other TDM strategies available for this project?	X			<u>See comments.</u>
* Does this Project Require any Road Improvements?				Will be determined upon submittal of Concurrency Application

## 2. Other Concurrency Impacts

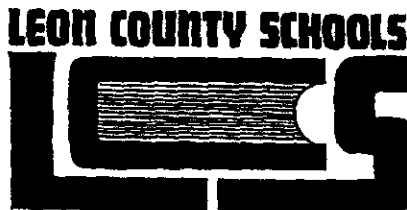
<b>A. Water/Sewer/Solid Waste/Recreational Facilities</b> <u>Residential Projects Only</u>	<u>Yes</u> X	<u>No</u>	<u>N/A</u>	<u>Comments</u> City water
* Water Service Provided?				
* Sewer Service Provided?	X			City sewer
* Pounds of Solid Waste Reserved? (Office Use Only)	X			324,968 lbs of Solid Waste reserved.
* Acres of Boat Ramps Reserved? (Office Use Only)	X			0.0480 acres of boat ramps reserved.
<b>B. Stormwater</b>	X			Stormwater facilities are provided on concept plan.
* Location of stormwater management facilities, including conveyance and drainage easements?		X		See comments from Environmental Management.
<b>C. Mass Transit</b>				Project is inside the Urban Services Area.
* Is the proposed project in the Urban Services Area?	X			
* Mass Transit Service Available?		X		<u>See comments.</u>

Concurrent Management System (CMS) is a computerized system that tracks the location and status of all projects in the city. It is used to ensure that projects are not approved until they have met all requirements for the CMS. The CMS is used to track the location and status of all projects in the city. It is used to ensure that projects are not approved until they have met all requirements for the CMS. The CMS is used to track the location and status of all projects in the city. It is used to ensure that projects are not approved until they have met all requirements for the CMS.

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**BOARD CHAIR**  
Georga "Joy" Bowen

**BOARD VICE-CHAIR**  
Sheila Costigan



Attachment # 3  
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**BOARD MEMBERS**  
Dee Crumpler  
Maggie B. Lewis  
H. Fred Varn

**SUPERINTENDENT**  
William J. Montford, III

September 10, 2004

Leon County Development  
Review Committee  
3401 W. Tharpe Street  
Tallahassee, FL 32303

Dear Committee Members:

Leon County Schools' Planning Department offers the following comments with regard to the items on the September 15, 2004 Development Review Committee Meeting Agenda:

**Villas at Pine Forest – f/k/a Brook Forest – Type "C"** – (Previous response 4/5) Moderate impact (111 lots) on schools. This area is currently zoned for Oak Ridge Elementary, Nims Middle and Rickards High schools. All schools have room to accommodate student growth. It is recommended that sidewalks be built on both sides of Center Road allowing students to walk to Balkin Road to wait for busses.

Thank you for your consideration.

Sincerely,  
*Tricia Gwaltney*

Tricia Gwaltney, Program Specialist  
Planning and Policy Development

/tg

Post-It™ brand fax transmittal memo 7671		# of pages
To	Dev Review Comm	From Planning Dept
Co.	Growth Mgmt	Co. Leon Co Schools
Dept.		Phone # 487-7257
Fax #	487-7956	Fax #